

what the debate is about with regard to that item.

SENATOR CLARK PRESIDING

SENATOR CLARK: We have an amendment to the committee amendments but before we get to that I would like to announce that Senator Barrett has 15 students from Lexington St. Annes, Lexington, Nebraska. Roger Lucas and Philip Vreeland are the instructors. Will you stand and be recognized please. They are in the North balcony. Welcome to the Legislature. We will take up the amendment to the committee amendments.

CLERK: Mr. President, Senator Sieck would move to amend the committee amendments by striking all language beginning with the semicolon in line 6 through the parenthesis in line 16.

SENATOR CLARK: Senator Sieck.

SENATOR SIECK: Yes, Mr. Speaker, members of the body, I did send to your desks a memo saying what I wanted to do here. If you will search through the papers that you have got on your desk, I am sure you will find it. Now the purpose of this amendment, my amendment to these committee amendments is to strike both the grandfather clause and the emergency clause from the legislation. The effect of this amendment is to make application of these amendments prospective rather than retrospective, thus not jeopardizing any cases now pending which have relied upon case law proceedings to date. If the standing committee amendments are adopted as they are presently written, they would cause serious judicial problems where any pending case could be dismissed only because the proper party failed to file a petition and not on the merits of the issues. What we really have here is special legislation specifically designed to affect a case now pending in the Nebraska Supreme Court. This case pertains to eminent domain proceedings related to a situation with the Oliver Project in western Nebraska. Those of you who were around during the 1981 session should remember it, this very same issue being fought on LB 243 that year. Even then I was amazed by the lobbying techniques that were used to get this measure addressed. Time and again this body failed to advance this special legislation. I don't feel the situation has changed any since LB 243 of two years ago and I am surprised this issue is before us here again. We don't have the time to waste on this issue and I encourage you to adopt my amendment to strike the grandfather clause and the emergency clause